



Rep. Sidney H. Mathias

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09600SB3803ham001

LRB096 20879 AJT 40475 a

1 AMENDMENT TO SENATE BILL 3803

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 3803 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Roadside Memorial Act is amended by adding  
5 Section 23 as follows:

6 (605 ILCS 125/23 new)

7 Sec. 23. Fatal accident memorial marker program.

8 (a) The fatal accident memorial marker program is intended  
9 to raise public awareness of reckless driving by emphasizing  
10 the dangers while affording families an opportunity to remember  
11 the victims of crashes involving reckless drivers.

12 (b) As used in this Section, "fatal accident memorial  
13 marker" means a marker on a highway in this State commemorating  
14 one or more persons who died as a proximate result of a crash  
15 caused by a driver who committed an act of reckless homicide in  
16 violation of Section 9-3 or 9-3.2 of the Criminal Code of 1961

1 or who otherwise caused the death of one or more persons  
2 through the operation of a motor vehicle.

3 (c) For purposes of the fatal accident memorial marker  
4 program in this Section, the provisions of Section 15 of this  
5 Act applicable to DUI memorial markers shall apply the same to  
6 fatal accident memorial markers.

7 (d) A fatal accident memorial marker shall consist of a  
8 white on blue panel bearing the message "Reckless Driving Costs  
9 Lives". At the request of the qualified relative, a separate  
10 panel bearing the words "In Memory of (victim's name)",  
11 followed by the date of the crash that was the proximate cause  
12 of the loss of the victim's life, shall be mounted below the  
13 primary panel.

14 (e) A fatal accident memorial marker may memorialize more  
15 than one victim who died as a result of the same crash. If one  
16 or more additional deaths subsequently occur in close proximity  
17 to an existing fatal accident memorial marker, the supporting  
18 jurisdiction may use the same marker to memorialize the  
19 subsequent death or deaths, by adding the names of the  
20 additional persons.

21 (f) A fatal accident memorial marker shall be maintained  
22 for at least 2 years from the date the last person was  
23 memorialized on the marker.

24 (g) The supporting jurisdiction has the right to install a  
25 marker at a location other than the location of the crash or to  
26 relocate a marker due to restricted room, property owner

1 complaints, interference with essential traffic control  
2 devices, safety concerns, or other restrictions. In such cases,  
3 the sponsoring jurisdiction may select an alternate location.

4 (h) The Department shall secure the consent of any  
5 municipality before placing a fatal accident memorial marker  
6 within the corporate limits of the municipality.

7 (i) A fee in an amount to be determined by the supporting  
8 jurisdiction shall be charged to the qualified relative. The  
9 fee shall not exceed the costs associated with the fabrication,  
10 installation, and maintenance of the fatal accident memorial  
11 marker.

12 (j) The Department shall report to the General Assembly no  
13 later than October 1, 2011 on the evaluation of the program and  
14 the number of fatal accident memorial marker requests.

15 (k) This Section is repealed on December 31, 2011."